

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

DIANNA PAIGE SAUNDERS

PLAINTIFF

v.

2:05CV00219-WRW

**WILDER BROTHERS SAWMILL, INC.,
BOBBY D. DAVIS, and LEN PITTS**

DEFENDANTS

ORDER WITHDRAWING EARLIER ORDER

On mature reflection, I think that the Order (Doc. No. 89) entered yesterday in this case, declaring a portion of the Civil Justice Reform Act unconstitutional, should be withdrawn, and the issues discussed in that Order should be certified to the Arkansas Supreme Court.

Yesterday's Order is simply a prediction of what the Arkansas Supreme Court will decide when the issues come before it. If, in its discretion, the Supreme Court resolves the issues in this case it will be helpful to practitioners and trial judges where the same or similar issues are being raised.

Accordingly, the Order (Doc. No. 89) is WITHDRAWN. A separate order will be entered certifying the issues to the Arkansas Supreme Court.

IT IS SO ORDERED this 28th day of November, 2007.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE